

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 14-0306 WHA

Plaintiff,

v.

**ORDER RE RETURN OF ART
AND RESTITUTION**

LUKE BRUGNARA,

Defendant.

Pursuant 18 U.S.C. 3663, and as stated in the judgment, defendant Luke Brugnara is ordered to pay \$688,386.66 in restitution as part of the final judgment in this case. This amount includes \$600,000 to Walter Maibaum, for the value of the “Little Dancer” sculpture that defendant obtained by fraud and which has not been recovered. It also includes \$61,343.10 to Walter Maibaum for attorney’s fees and expenses proximately caused by defendant’s crime. It finally includes \$27,043.56 to Rose Long for attorney’s fees and expenses proximately caused by defendant’s crime.


Furthermore, the government recovered several works of art during the execution of a search and seizure warrant in this case. Of the artwork recovered by the government, the George Luks painting shall be returned to Rose Long and the remaining works of art shall be returned to Walter Maibaum. However, this order is stayed with respect to the four works of art that were introduced as trial exhibits: the George Luks painting (TX 3A); the Joan Miró drawing (TX 4A); one of the framed paintings attributed to de Kooning (TX 1A); and one of the

1 matted paintings attributed to de Kooning (TX 2A). Because these four items remain part of the
2 record, the government shall maintain possession of them until all appeals in this case are final.

3 This order reiterates that, pursuant to 18 U.S.C. 3663, the restitution order in this case in
4 no way permits defendant to maintain possession of the "Little Dancer" sculpture. Under the
5 restitution statute, if the sculpture is returned, any remaining balance of the \$600,000 for the
6 "Little Dancer" will remain, "less the value (as of the date the property is returned) of any part
7 of the property that is returned." 18 U.S.C. 3663(b)(1)(B).

8
9 **IT IS SO ORDERED.**

10
11 Dated: October 26, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE